Remarks

Claims 1-61 are pending in the application. All claims stand rejected. By this paper, claims 1, 5, 6, 11, 13, 18, 31, 35, 36, 41-43, 48, and 61 have been amended. Claims 3, 4, 7-10, 33, 34, and 37-40 have been canceled.

Claim 61 was objected to because of the limitation, "comprising the contextual information," which should have read "comprising contextual information." The applicants have amended claim 61 to remove the limitation.

Claims 4, 10-12, 34, and 40-42 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The applicants have canceled claims 4 and 34. With regard to claims 10-12 and 40-42, the Examiner found the limitation of contextual information not being "specifically encoded into the television program" contradicted the claimed use of closed captioning information in formulating an information request.

Claims 1 and 31 have been amended to recite a "method for processing user queries ... without requiring existing contextual information associated with the television program to be specifically programmed to trigger the display of particular supplemental content." Those of skill in the art understand that closed captioning information is not added to a television broadcast for the purpose of enabling interactive functions, such as user queries. Moreover, closed captioning information already exists at the time the television broadcast is received by a cable or satellite operator. Thus, the prior recitation of contextual information not having to be "specifically encoded into the television program" actually is consistent with the claimed use of closed captioning information.

Nevertheless, claims 1 and 31 have been amended to emphasize the more fundamental issue that the existing contextual information, such as closed captioning information, does not need to be specifically programmed to trigger the display of particular supplemental content. This eliminates a significant cost to the cable or satellite operator of having to anticipate a user's interest and provide relevant supplemental content at specific points within a television program. The applicants respectfully submit, therefore, that the basis for the Section 112 rejection has been obviated.

Claims 1-3, 6-9, 14, 16, 17, 31-33, 36-39, 44, 46, 47, and 61 were rejected under 35 U.S.C. 102(e) as being anticipated by Voyticky et al. ("Voyticky"). Claims 5, 21-29, 35, and 51-59 were rejected under 35 U.S.C. 103(a) as being unpatentable over Voyticky in view of Yen et al. ("Yen"). Claims 13 and 43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Voyticky in view of Kenner et al. ("Kenner"). Claims 15 and 45 were rejected under 35 U.S.C. 103(a) as being unpatentable over Voyticky. Claims 19, 20, 49, and 50 were rejected under 35 U.S.C. 103(a) as being unpatentable over Voyticky in view of Nishikawa et al. ("Nishikawa"). Claims 30 and 60 were rejected under 35 U.S.C. 103(a) as being unpatentable over Voyticky in view of Kenner and Yen.

Claim 1 has been amended merely to include the limitations of claim 10 and to overcome the Section 112 rejection of claims 10-12. As amended, claim 1 recites a "method for processing user queries for supplemental content related to a television program being displayed by an interactive television system without requiring

contextual information to be specifically programmed to trigger the display of particular supplemental content, the method comprising:

receiving a user command to find supplemental content;

obtaining contextual information including at least one keyword from closed captioning text pertaining to the television program being displayed at the time the user command is received;

sending an information request to a content source, the information request including the context information; and

in response to the content source identifying supplemental content related to the television program being displayed based upon the context information, retrieving the supplemental content from the content source for display by the interactive television system.

As explained above, these claimed features are advantageous because a cable or satellite operator does not need to specifically program context information associated with a television program to trigger the display of particular supplemental content. When the user presses a "FIND" button or the like, the interactive television system sends one or more keywords from closed captioning text associated with the television program being currently displayed. The keywords are used by the content source in selecting supplemental content to return to the interactive television system for display. As explained in the specification, "[b]ased upon the keywords 612 from the closed-captioning text, as described below, the content source 114 may search for supplemental content 406 related to the television program being displayed, even when the content source provider did not anticipate the user's interest by specifically including such content 406." Application at Page 6.

The instant Office Action does not reject claim 10 (now integrated into claim 1) based on a prior art reference, but apparently relies on the Section 112 rejection.

However, the prior Office Action, mailed August 12, 2004, cited Feinleib in rejecting claim 10. Specifically, the Examiner noted that "Feinleib teaches an interactive television system (fig. 1) wherein keywords from closed captioning data are used for associating a broadcast program with supplemental information at specific points (col. 6, lines 22-41)." Office Action at Page 9.

Feinleib, however, could not be more different from the claimed invention. First, Feinleib requires the broadcaster to anticipate a user's interest by specifically programming context information to trigger the display of supplemental data, contrary to the claimed invention. Feinleib discloses a system for synchronizing enhanced content with a video program using closed captioning. **A producer must initially program supplemental data to be activated when specific key phrases of the closed captioning text are encountered.** See Abstract. This directly teaches against the claimed limitation of not having to specifically program contextual information to trigger the display of particular supplemental content. **In Feinleib, unless a broadcaster actively creates a key phrase data file, no supplemental information will ever be displayed.**

Second, Feinleib has nothing to do with processing user queries, contrary to the claimed invention. Feinleib monitors for specific, preprogrammed phrases in the closed captioning text. Feinleib does not "[receive] a user command to find supplemental content," as required by claim 1. Likewise, Feinleib does not "[send] an information request to a content source, the information request including the context information," as claimed. Because Feinleib simply monitors for preprogrammed key

phrases, there is no need to send an information request including closed captioning information to a content source.

Third, Feinleib relies on the broadcaster's timing for displaying supplemental content as opposed to the user's timing, as claimed. The applicant's background section discussed the problems with preprogrammed triggers, which problems are equally applicable to Feinleib:

> First, like advertisements, triggers have the tendency to distract viewers from the television broadcast and may actually annoy viewers. Second, many viewers would prefer to obtain additional information about a broadcast or access a commercial opportunity at a time of their own choosing, not merely when the broadcaster has chosen to embed a trigger. Third, triggers are typically not customized to individual viewers, but are broadcast to all of the viewers receiving a particular television program. As such, many triggers are never activated.

Application at pages 3-4. Unlike the claimed invention, Feinleib does not "[obtain] contextual information including at least one keyword from closed captioning text pertaining to the television program being displayed at the time the user command is received." As discussed above, there is no need for a "user command" in Feinleib's system for monitoring closed captioning data.

Neither Voyticky nor any of the other cited references disclose or suggest using closed captioning to enable user queries at any point in a television broadcast. Accordingly, the applicants respectfully submit that claim 1, as amended, is patentably distinct over the cited references. Claims 31 and 61 have been amended to include similar limitations and are likewise believed to be patentably distinct for at least the same reasons. All other claims depend directly or indirectly from one of the aforementioned claims and are also believed to be allowable by virtue of that dependency.

Claim 18 recites that the contextual information further comprises an indication of a channel being displayed, which is used to identify a content source to receive the information request. The instant Office Action does not specifically refer to claim 18, although the prior Office Action rejected claim 18 using Feinleib. Specifically, the Examiner stated that "Feinleib discloses supplying supplemental information from a particular content source which relates to a particular channel." Office Action page 9.

However, the passage referred to by the Examiner merely states that certain television channels, such as MSNBC news, have associated websites. It says nothing about using an indication of a channel being currently displayed to identify (and therefore select) a content source to receive an information request. Under Feinleib, a user would need to know about this relationship between MSNBC news and the MSNBC website, and manually browse the website to find desired information. This is contrary to the single-button querying recited in the claimed invention in which the user is not required to know the names of websites or mentally associate particular television channels with particular information resources, which the user must then manually query to obtain desired information.

In view of the foregoing, the applicants respectfully submit that all pending claims are patentably distinct over the cited references, alone or in combination. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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